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REMARKS

Initially, Applicant notes that the Examiner has crossed through reference AL in the PTO-1449 returned with the Office Action. This listing is in compliance with 37 C.F.R. 1.98 and, as far as the undersigned is aware, a copy of this reference was provided with the PTO-1449. Furthermore, a copy of this reference was faxed to the Examiner on October 6, 2005. Thus, this reference was cited properly in the information disclosure statement filed June 18, 2005 and the Examiner has had an opportunity to consider this reference. Accordingly, Applicant requests that the Examiner send a revised version of the PTO-1449 in which reference AL has been initialed to acknowledge that reference AL has been considered.

In response to the non-final action of October 11, 2005, applicants request that all claims be allowed in view of the amendment to the claims and the following remarks.

Claims 1-37 are pending, with claims 1, 15, and 25 being independent. Claims 1, 15, 16, 17, 20, and 25 have been amended.

Claims 1-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Eichstaedt (U.S. 6,662,230). Applicants respectfully traverse this rejection.

Claim 1 recites a method for securing an accessible computer system that includes monitoring for connection transactions between multiple access requestors and multiple access providers using a switching component connected to the multiple access providers and denying access by an attacking access requestor to the access providers when a number of connection transactions initiated by the attacking access requestor through the switching component exceeds a configurable threshold number during a first configurable period of time. Applicants respectfully request reconsideration and withdrawal of the rejection because Eichstaedt fails to describe or suggest monitoring connection transactions between multiple access requestors and multiple access providers using a switching component.

Eichstaedt describes that "a method and data protection system for limiting access of client computers to data objects accessed through the server computer." Col. 6, lines 20-22. Specifically, Eichstaedt describes a system in which requests sent to a web server 18 are intercepted by a data protection system 11. Col. 5, lines 25-30. If the requests meet certain

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criteria, they are forwarded by data protection system 11 to web server 18, which accesses the database 20 to respond to the requests. Col. 6, lines 35-37. Eichstaedt, however, does not describe or suggest that requests from the client computers are directed to the database 20 and, accordingly, does not describe the data protection system 11 forwarding requests to the database 20. Thus, even if the data protection system monitors for "connection transactions," it only monitors for connection transactions between the client computers and the web server. Accordingly, Eichstaedt's system does not describe or suggest monitoring for connection transactions between multiple access requestors and multiple access providers using a switching component connected to the multiple access providers," as recited in claim 1.

For at least these reasons, applicants respectfully request reconsideration and withdrawal of the rejection of claim 1.

Claims 2-14, directly or indirectly, depend from claim 1, and they are believed to be patentable over Eichstaedt for at least the reasons given for claim 1. Moreover, claim 10 is allowable over Eichstaedt because Eichstaedt does not describe or suggest "denying access to the access providers through the switching component by the attacking access requestor for a second configurable period of time," as recited in claim 10. Referring to FIG. 3 of Eichstaedt, the Eichstaedt data protection system performs several frequency checks before authorizing the client computer to access the database via the web server. Col. 6, lines 36-37 and col. 7, lines 50-51. In each frequency check, the data protection system compares the number of requests the client has made within a predefined time period t_i with a predefined maximum number of request allowed, x_i. Col. 6, lines 35-56. If the client passes the frequency checks, the date protection system sends the client's request to the server for processing. Col. 6, lines 59-61 and FIG. 3. "If the client fails any of the checks, the client identifier is added to the deny list (step 58) and the request is refused." Col. 6, lines 57-59 and FIG. 3. Alternatively, the data protection system may not include a deny list, such that refused access is based merely upon failing any single one of the frequency checks. Col. 6, lines 64-67. As such, Eichstaedt does not teach or suggest "denying access includes denying access to the access providers through the switching

component by the attacking access requestor for a second configurable period of time," as recited in claim 10.

The Office Action relies upon column 4, lines 12-17 and column 7, lines 31-49 to show the above recited feature of claim 10. See Office Action at page 3, lines 14-18. However, applicants respectfully assert that neither of these sections teach or suggest "denying access includes denying access to the access providers through the switching component by the attacking access requestor for a second configurable period of time," as recited in claim 10. In column 4, lines 12-17 Eichstaedt describes that the data protection system preferably performs at least two different frequency checks, as described above with respect to FIG. 3, to determine whether the client should be refused access. Apparently, having "[m]ultiple, independently selectable maximum request frequencies help detect irregular patterns the robot may use to escape detection." Col. 4, lines 16-18. As such, this portion does not describe or suggest "denying access includes denying access to the access providers through the switching component by the attacking access requestor for a second configurable period of time," as recited in claim 10. In column 7, lines 31-49 Eichstaedt describes the first frequency check performed by the data protection system. Specifically, in the first frequency check the date protection system compares the number of requests the client has made in time t_1 is compared with a predefined maximum number of requests x_1 and if the client has more than x_1 requests then the client will be denied access. Col. 7, lines 41-43. As such, this portion too fails to describe or suggest "denying access includes denying access to the access providers through the switching component by the attacking access requestor for a second configurable period of time," as recited in claim 10.

For at least these reasons and the reasons given for claim 1, applicants respectfully request reconsideration and withdrawal of the rejection of claim 10 and its dependent claim 11.

Similar to independent claim 1, each of independent claims 15 and 25 recites an arrangement in which a switching component monitors for connection transactions between multiple access providers and multiple access requestors. Accordingly, applicants respectfully

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request reconsideration and withdrawal of the rejection of claims 15 and 25, at least for the reasons discussed above with respect to claim 1.

Claims 16-24 and 26-37, directly or indirectly, depend from claim 15 and 25, respectively, and they are believed to be patentable over Eichstaedt for at least the reasons given for claims 15 and 25. Moreover, dependent claims 20 and 30 are allowable for the same reasons as claim 10.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 2/13/06

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